fered from the standard of strength, quality, and purity as determined by the test laid down in the said pharmacopoeia, and its own standard was not stated on the label.

Misbranding was alleged for the reason that the statement on the label, "For Medicinal Purposes Only", was false and misleading, and for the further reason that the package failed to bear on the label a statement of the quantity or proportion of alcohol contained in the article.

The Sherwood Distilling & Distributing Co., Baltimore, Md., filed a claim and answer alleging that the product had been shipped in interstate commerce by the said Sherwood Distilling & Distributing Co., and admitting that it was misbranded. On July 20, 1934, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of $240, conditioned that it be relabeled in accordance with the requirements of the Food and Drugs Act.

M. L. WILSON, *Acting Secretary of Agriculture.*

22985. Misbranding of Elroy's Six Point Remedy. U. S. v. 34 Packages of Six Point Remedy. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32765. Sample no. 48771-A.)

This case involved a drug product that was labeled with unwarranted curative and therapeutic claims.

On May 28, 1934, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 34 packages of Elroy's Six Point Remedy at Portland, Oreg., alleging that the article had been shipped in interstate commerce, on or about September 27, 1933, by Elroy's Six Point Remedy, from Los Angeles, Calif., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of cottonseed oil, camphor, turpentine oil, small proportions of other volatile oils and 1.5 grams per bottle of quinine sulphate in suspension.

The article was alleged to be misbranded in that certain statements in the circular shipped with the article falsely and fraudulently represented that it was effective as a treatment for arthritis, rheumatism, neuritis, sinus infections, catarrh, sore throat, tonsilitis, varicose vein ulcers, sores, running sores, pyorrhea, sore and bleeding gums, pleurisy, pneumonia, blisters between the toes, sore scalp, and all different forms of rheumatism; as effective in relieving congestion in cases of sore throat; and as effective in healing sore lips and relieving pain.

On July 5, 1934, no claimant having appeared, judgment of condemnation and forfeiture was entered, and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

22986. Misbranding of Borash. U. S. v. 12 Bottles of Borash. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32784. Sample no. 67570-A.)

This case involved a drug preparation, the labeling of whioh bore unwarranted curative and therapeutic claims. The labeling was further objectionable since the principal therapeutic action of the product would result from Epsom salt, a mineral drug or chemical capable of causing injury, and it contained undeclared alcohol, therefore the claims that it contained no minerals or drugs, was absolutely safe and harmless, and contained no alcohol, and the impression conveyed that its therapeutic effect was derived from material obtained from borage or other plant sources, were false and misleading.

On May 31, 1934, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 12 bottles of Borash at Jamaica, N. Y., alleging that the article had been shipped in interstate commerce, on or about July 16, 1932, by the J. W. Wilking Co., Inc., from Hoboken, N. J., and charging misbranding in violation of the Food and Drugs Act as amended. The article was labeled in part: "Borash 'Borage' Webster."

Analysis showed that the product consisted essentially of Epsom salt (16.5 g per 100 ml), plant extractive, alcohol (1.4 percent by volume), small proportions of benzoic and acetic acids, sugar, and water.

The article was alleged to be misbranded in that the statements, (bottle) "Borash 'Borage' Webster", (circular) "Borash", and the picture of a flowering plant on the bottle and in the circular; the statements, (bottle) "The con-

tents of this bottle is absolutely Free From * * * Alcohol", (circular) "It further does not contain anything which might in any way injure the weakest stomach and you may therefore take it safely, without the worry which justly accompanies the administration of medicine containing minerals or drugs * * * does not contain other drug or chemical injurious to the most delicate man, woman or child * * * it is absolutely harmless", were false and misleading. Misbranding was alleged for the further reason that the statement on the circular, "'Borash' is guaranteed under the Pure Food and Drug Act of June 30th, 1906", was misleading in that the said statement created the impression that the article had been examined and approved by some agency of the Government, and that the Government guaranteed that it complied with the law; whereas it had not been approved by the Government, and the Government did not guarantee that it complied with the law. Misbranding was alleged for the further reason that the package failed to bear on the label a statement of the quantity or proportion of alcohol contained in the article. Misbranding was further alleged in that the bottle label and accompanying circular contained false and fraudulent representations regarding its effectiveness in "throwing uric acid from the blood", and its effectiveness in the treatment of rheumatism, gout, salt rheum, piles, dyspepsia, liver trouble, indigestion, various skin diseases, disordered stomach, skin diseases and other ailments caused by uric acid in the blood, acid stomach, kidney trouble, unsightly complexion, impure blood, excessive hydrochloric acid, as a stimulus to the entire digestive organs, in dissolving injurious acids, auto-intoxication, drowsiness, headache, laziness, susceptibility to fatigue, nervous depression, headache, trouble with the joints, anemia, diarrhea, coated and pale tongue, nausea, vomiting, dyspepsia, heartburn, drowsiness after meals, insomnia, impaired memory, flashes of unusual heat through the body, uneasiness caused by fast palpitation, obesity, headache, general discomfort, pains over the kidneys and down to the urethra and testicles, Brights disease, violent itching of the skin, poisoned urine, congestion of the kidney; to remove the main obstacles to normal action of the kidney, eczema, pimples, boils, erysipelas, aching joints, and lost appetite.

On July 15, 1934, no claimant having appeared, judgment of condemnation and forfeiture was entered, and destruction of the product was ordered.

M. L. WILSON, *Acting Secretary of Agriculture.*

22987. Adulteration and misbranding of sodium borate and borax. U. S. v. 125 Cartons of Sodium Borate and 59 Cartons of Powdered Borax. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 32795. Sample nos. 62165-A, 62182-A.)

This case case involved shipments of sodium borate (borax) which fell below the standard established by the United States Pharmacopoeia.

On June 1, 1934, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 125 cartons of sodium borate and 59 cartons of powdered borax at Perry Point, Md., alleging that the article had been shipped in interstate commerce, in part on May 11, 1933, and in part on June 2, 1933, by Jas. Good, Inc., from Philadelphia, Pa., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "One Pound Sodium Borate Powder U. S. P." or "5 Pounds Powdered Borax U. S. P."

Analyses of samples of the article by this Department showed that it contained arsenic calculated as arsenic trioxide not less than 50 parts per million. The United States Pharmacopoeia provides in effect that sodium borate (borax) contains not more than 10 parts per million of arsenic calculated as arsenic trioxide.

It was alleged in the libel that the article was adulterated in that it was sold under names recognized in the United States Pharmacopoeia, and differed from the standard of purity as determined by the test laid down in the said pharmacopoeia official at the time of investigation, and its own standard of purity was not stated on the labels.

Misbranding was alleged for the reason that the statements on the respective labels, "Sodium Borate * * * U. S. P." and "Powdered Borax U. S. P.", were false and misleading.

On July 7, 1934, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*